

REMARKS

Claims 15-28 are pending in this application. By this Amendment, claims 15-21, 23, 26 and 27 are amended. No new matter is added. Reconsideration of this application is respectfully requested.

Applicants appreciate the courtesies shown to Applicant's representatives by Examiner Lesperance in the May 16, 2006 personal interview and subsequent May 18 telephone interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action indicates that none of the foreign priority documents have been received by the U.S. Patent and Trademark Office. This is incorrect.

The present application is a Divisional of U.S. Patent Application No. 09/171,224, filed October 16, 1998, that claims priority to PCT Application No. PCT/JP98/00656, filed February 17, 1998.

In U.S. Patent Application No. 09/171,224, Applicants received a U.S. Patent Office Paper, mailed February 9, 1999, entitled "Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495," that indicates that a copy of the priority document was received by the Patent Office.

Accordingly, Applicants request acknowledgement that the priority document for the present application was received by the Patent Office in the next Patent Office communication.

The Office Action rejects claims 15-28 under 35 U.S.C. §102(e) over U.S. Patent No. 5,670,792 to Utsugi et al. ("Utsugi"). This rejection is respectfully traversed.

Independent claim 15 recites a display apparatus that includes, among other features, a single opposite electrode, the single opposite electrode overlapping the plurality of common power supply lines, and the single opposite electrode being formed for the plurality of pixel

electrodes. This feature is supported, for example, by paragraph [0077], and Figs. 13G, 14A and 14B.

Utsugi does not disclose, nor can it reasonably be considered to have suggested, such a feature. Additionally, such a feature have been obvious to one of ordinary skill in the art at the time the invention was made, based upon Utsugi.

During the May 16 interview, Applicants' representatives discussed the Utsugi reference in detail with the Examiner. Applicants' representatives asserted that Utsugi does not teach or suggest an opposite electrode that "overlaps the plurality of common power supply lines," as was recited in the pending claims. Further, Applicants' representatives argued that Utsugi does not teach or suggest "a plurality of luminescent elements each of which is disposed between one pixel electrode of the plurality of pixel electrodes and the opposite electrode," as recited in the claims. The Examiner was unable to demonstrate that Utsugi teaches or suggests such a feature.

However, in the May 18 telephone interview, the Examiner asserted that the VDD lines 105, described in Utsugi (see Fig. 2), could be interpreted as an opposite electrode corresponding to such a feature recited in the pending claims. Under such an interpretation, the Examiner asserted that Utsugi would teach a plurality of luminescent elements each of which is disposed between one pixel electrode of the plurality of pixel electrodes and the opposite electrode. The Examiner also asserted that under such an interpretation V_{DD} can be interpreted as overlapping the plurality of common power supply lines, as recited in the claims.

Applicants do not concede that such an interpretation is reasonable. In an effort, however, to expedite further prosecution of this application, the claims are amended to recite, among other features, a single opposite electrode, the single opposite electrode overlapping the plurality of common power supply lines, and the single opposite electrode being formed

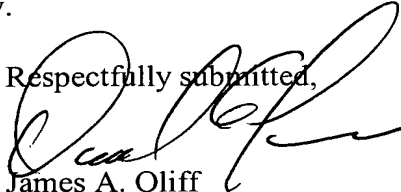
for the plurality of pixel electrodes. Applicants believe that the Examiner's broad interpretation cannot be applied to the claims, as amended.

Accordingly, it is respectfully submitted that independent claim 15 is neither taught, nor can it reasonably be considered to be suggested, by Utsugi. Independent claims 16-21, 23, 26 and 27 include features similar to those addressed above with respect to claim 15, and, therefore, are patentably distinguishable over Utsugi for at least the same reasons addressed above with respect to claim 15. Claims 22, 24-25 and 28 depend from one of the allowable independent claims, and are likewise patentably distinguishable over the applied prior art reference for at least their dependence on allowable base claims, as well as for additional features they recite.

Accordingly, reconsideration and withdrawal of the rejection of claims 15-28 under 35 U.S.C. §102(e) as being anticipated by Utsugi are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 15-28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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JAO:JMH

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